Remarks/Arguments:

Claims 1-14 are pending in this application, of which claims 13-14 are added herein. In the Office Action dated November 1st, 2005, the Examiner has rejected claim 1 under 35 USC 103(a) in view of Warren (WO 98/45960) and ordinary skill in the art. The Examiner has further objected to claim 3 due to an informality, and has allowed claims 2 and 4-12.

The Examiner's suggestion for claim 3 is appreciated. However, it appears to the undersigned that amending claim 3 according to that suggestion would have it read "randomizing the spreading code by performing at least one row or column.", a limitation that is not understood. Claim 3 is instead amended to delete the objected term. The substance of that objected term is presented in added claim 13, which directly states that the permuted row or column is of the P' x P' spreading code set. While the Examiner raised no objection to claim 7, prior to this amendment it was similar to claim 3 and is now amended in similar fashion, with added claim 14 repeating similarly to claim 13.

Respecting the rejection to claim 1, claim 1 is amended to more clearly recite that the second spreading code set is generated from the first spreading code set, and now recites: "repeating chips to generate _from the first spreading code set_ a second spreading code set...". Support for this amendment is at page 2, lines 6-12 of the application. Warren is not seen to disclose or make obvious any relation between the first and second spreading code except a comparison of code lengths, and is not seen to teach or suggest generating one spreading code set from another spreading code set. This amendment is seen to clearly distinguish over Warren and obvious variants thereof.

Claim 10 is amended to eliminate the preposition "In" that typically begins a Jepsen-type preamble, and to add the transition "comprising" prior to recitation of the memory device. Claim 10 was never a Jepsen claim because it had no Jepsen-type transition such as "wherein the improvement comprises" separating known from novel elements. This change to claim 10 is seen as a formality and not done for reasons related to patentability, so the full scope of equivalents should remain available.

The Applicant respectfully requests that the Examiner withdraw the rejection to claim 1 and the objection to claim 3 in light of these amendments, and to pass each of claims 1-14 to

issue. The undersigned representative welcomes the opportunity to resolve any matters that may remain, formal or otherwise, via teleconference at the Examiner's discretion.

Respectfully submitted:

_____   _____December 14, 2005_____
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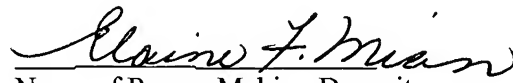
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

_____December 15, 2005_____   _____
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